

Suspend the Rules and Pass the Bill, H.R. 5079, With An Amendment

(The amendment strikes all after the enacting clause and inserts a new text)

115TH CONGRESS
2D SESSION

H. R. 5079

To amend the Homeland Security Act of 2002 to require the Department of Homeland Security to develop an engagement strategy with fusion centers, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 23, 2018

Mr. BACON (for himself, Mr. McCAUL, Mr. KEATING, Mr. FITZPATRICK, Mr. KATKO, Mr. HIGGINS of Louisiana, and Mr. GALLAGHER) introduced the following bill; which was referred to the Committee on Homeland Security

A BILL

To amend the Homeland Security Act of 2002 to require the Department of Homeland Security to develop an engagement strategy with fusion centers, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “DHS Field Engage-
5 ment Accountability Act”.

1 **SEC. 2. ENGAGEMENT STRATEGY WITH FUSION CENTERS.**

2 Section 210A of the Homeland Security Act of 2002
3 (6 U.S.C. 124h) is amended by—

4 (1) redesigning subsections (j) and (k) as sub-
5 sections (k) and (l), respectively; and

6 (2) inserting after subsection (i) the following
7 new subsection:

8 “(j) FUSION CENTER INFORMATION SHARING
9 STRATEGY.—Not later than one year after the date of the
10 enactment of this subsection, the Secretary shall develop
11 and update at least once every five years a strategy for
12 Department engagement with fusion centers. Such strat-
13 egy shall be developed and updated in consultation with
14 the heads of intelligence components of the Department,
15 the Chief Privacy Officer of the Department, the Officer
16 for Civil Rights and Civil Liberties of the Department, of-
17 ficials of fusion centers, officers designated as Homeland
18 Security Advisors, and the heads of other relevant agen-
19 cies, as appropriate. Such strategy shall include the fol-
20 lowing:

21 “(1) Specific goals and objectives for sharing
22 information and engaging with fusion centers—

23 “(A) through the direct deployment of per-
24 sonnel from intelligence components of the De-
25 partment;

1 “(B) through the use of Department un-
2 classified and classified information sharing
3 systems, including the Homeland Security In-
4 formation Sharing Network and the Homeland
5 Secure Data Network, or any successor sys-
6 tems; and

7 “(C) through any additional means.

8 “(2) The performance metrics to be used to
9 measure success in achieving the goals and objec-
10 tives referred to in paragraph (1).

11 “(3) A five-year plan for continued engagement
12 with fusion centers.”.

13 **SEC. 3. OFFICE OF INTELLIGENCE AND ANALYSIS FIELD**
14 **PERSONNEL SUPPORT TO FUSION CENTERS.**

15 (a) **PERFORMANCE METRICS.**—Not later than 180
16 days after the date of the enactment of this Act, the Under
17 Secretary for Intelligence and Analysis of the Department
18 of Homeland Security shall—

19 (1) consider the effectiveness of existing proc-
20 esses to identify and prepare field personnel for de-
21 ployment to support fusion centers and internal
22 mechanisms to ensure oversight and accountability
23 of such field personnel, including field personnel as-
24 signed to one center and field personnel assigned to
25 multiple centers; and

1 (2) publish and disseminate performance
2 metrics, taking into account, as appropriate, regional
3 and threat diversity, for—

4 (A) field personnel from the Office of In-
5 telligence and Analysis assigned to an indi-
6 vidual fusion center;

7 (B) field personnel from the Office of In-
8 telligence and Analysis assigned to multiple fu-
9 sion centers; and

10 (C) regional Directors of the Office of In-
11 telligence and Analysis to ensure accountability
12 for monitoring all field personnel under the su-
13 pervision of such Regional Directors.

14 (b) TRAINING.—In consultation with the Chief Infor-
15 mation Officer of the Department of Homeland Security,
16 the Under Secretary for Intelligence and Analysis of the
17 Department shall develop and implement a formalized
18 training module for fusion center personnel regarding the
19 classified Homeland Secure Data Network of the Depart-
20 ment, or any successor system.

21 (c) FUSION CENTER DEFINED.—In this section, the
22 term “fusion center” has the meaning given such term in
23 section 210A of the Homeland Security Act of 2002 (6
24 U.S.C. 124h).

1 **SEC. 4. DHS COMPONENT USAGE OF THE HOMELAND SECU-**
2 **RITY INFORMATION NETWORK.**

3 (a) IN GENERAL.—Not later than 180 days after the
4 date of the enactment of this Act, the Chief Intelligence
5 Officer of the Department of Homeland Security, in con-
6 sultation with the Chief Information Officer of the Depart-
7 ment, shall—

8 (1) develop policies and metrics to ensure effec-
9 tive use by components of the Department of the
10 Department's unclassified Homeland Security Infor-
11 mation Sharing Network, or any successor system;
12 and

13 (2) develop policies for posting unclassified
14 products on the Homeland Security Information
15 Sharing Network, or any successor system.

16 (b) TECHNICAL ENHANCEMENTS.—The Chief Infor-
17 mation Officer of the Department of Homeland Security,
18 in consultation with the Chief Intelligence Officer of the
19 Department, shall assess and implement, as appropriate,
20 technical enhancements to the Homeland Security Infor-
21 mation Sharing Network (HSIN) to improve usability, in-
22 cluding search functionality, data analysis, and collabora-
23 tion capabilities.

24 **SEC. 5. REPORT.**

25 Not later than 18 months after the date of the enact-
26 ment of this Act, the Secretary of Homeland Security shall

1 submit to the Committee on Homeland Security of the
2 House of Representatives and the Committee on Home-
3 land Security and Governmental Affairs of the Senate a
4 report on the implementation of the following:

5 (1) The fusion center information sharing strat-
6 egy required under subsection (j) of section 210A of
7 the Homeland Security Act of 2002 (6 U.S.C.
8 124h), as added by section 2 of this Act, based on
9 performance metrics developed pursuant to such
10 strategy.

11 (2) Field personnel deployed to fusion centers
12 (as such term is defined in section 210A of the
13 Homeland Security Act of 2002 (6 U.S.C. 124h)) in
14 accordance with section 3, based on performance
15 metrics developed pursuant to such section.

16 (3) Policies that seek to ensure the effective use
17 of the Homeland Security Information Sharing Net-
18 work in accordance with section 4, based on the
19 metrics developed pursuant to such section.